

AFFIDAVIT OF CHRISTOPHER T. HUGHES
IN SUPPORT OF A CRIMINAL COMPLAINT

I, Christopher T. Hughes, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation (FBI), and have been so employed by FBI since February 2003. Among my other duties, I investigate criminal violations relating to child exploitation and child pornography including violations pertaining to the illegal advertisement, distribution, receipt, and possession of child pornography, in violation of 18 U.S.C. §§ 2252 and 2252A. I have received training in the investigation of child pornography and child exploitation offenses, and have had the opportunity to observe and review numerous examples of electronically-stored child pornography (as defined in 18 U.S.C. § 2256). I am currently investigating federal violations concerning child pornography and the sexual exploitation of children and have investigated these types of crimes exclusively for the past three and a half years. I have gained experience through extensive training via numerous seminars and classes as well as everyday work related to these types of investigations. In addition, I have received basic and advanced training in the identification and investigation of child exploitation suspects, and the techniques they utilize to distribute images and videos, evade law enforcement detection, store digital contraband and communicate electronically with other suspects.

2. This affidavit is being submitted in support of a criminal complaint charging LUIS MIGUEL GONZALEZ-BUZETTA of Mattapan, Massachusetts with distributing and attempting to distribute child pornography, in violation of 18 U.S.C. § 2252A(a)(2), and possession of child pornography, in violation of 18 U.S.C. § 2252A(a)(5).

3. The facts in this affidavit come from my investigation, personal observations, a review of records, my training and experience, and information obtained from other agents and

witnesses. In this affidavit, I rely on information provided to me by other law enforcement officers and in particular, Special Agent (SA) Miles P. Wilttrout of the FBI Portland, Oregon Field Office, Medford Resident Agency. SA Wilttrout's daily duties include investigating criminal violations relating to child exploitation and child pornography including violations pertaining to the illegal advertisement, distribution, receipt, and possession of child pornography, in violation of 18 U.S.C. § 2252 and 2252A, among others.

4. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. Rather, it contains those facts that I believe to be necessary to establish probable cause for the crime charged in the complaint.

INVESTIGATION

5. On February 28, 2013, members of the Southern Oregon High Tech Crimes Task Force executed a residential search warrant at 634 Brandi Way, Eagle Point, Oregon pursuant to a child pornography investigation. The subject of this investigation was the user of the email account ch201111@mail.com. The e-mail account ch201111@mail.com had been engaged in the distribution of child pornography to other email addresses under investigation by law enforcement.

6. Prior to executing the search warrant, a check of publicly available databases revealed that Christopher Hammer resided at 634 Brandi Way, Eagle Point, Oregon. A criminal history check for Christopher Hammer revealed that he was convicted in 1994 in California of two counts of lewd and lascivious acts with a child less than 14 years old, and was sentenced to six years in prison. Hammer is currently registered in Oregon as a sex offender.

7. During the course of the search warrant upon 634 Brandi Way, Eagle Point, Oregon, investigators found a set of pink pajamas with black and white panda bears which appeared to be identical to pajamas depicted in images of child pornography that had been sent using the ch201111@mail.com account. Investigators also determined that household items such as chairs, tables, a desk, a computer, as well as carpeting and flooring, appeared to match items depicted in photographs that contained child pornography images obtained during their investigation.

8. After completing the search warrant at 634 Brandi Way, Eagle Point, Oregon, investigators remained in the vicinity on surveillance anticipating the return of the occupants of the residence. Christopher Hammer arrived at the residence with his wife and two children, a female and male. The female child appeared to be the identical child depicted in the child pornography images sent through the email account ch201111@mail.com. Investigators found a Samsung SCH-R930 cell phone in Hammer's pocket which matched the camera used to take child pornography images found in the email account ch201111@mail.com.

9. Hammer was subsequently arrested for child pornography offenses. That investigation is currently ongoing by FBI Agents assigned to the FBI Portland, Oregon Field Office. During the review of evidence obtained pursuant to the Christopher Hammer investigation, 175 emails were found between ch201111@mail.com and the email accounts griseldablanco444@gmail.com and griseldablanco446@gmail.com. FBI Agents assigned to the FBI Portland, Oregon Field Office forwarded evidence related to griseldablanco444@gmail.com and griseldablanco446@gmail.com to me because IP addresses used to access these accounts were assigned to a residence in Mattapan, Massachusetts.

10. On or about September 4, 2013, I reviewed the 175 email messages involving griseldablanco444@gmail.com and griseldablanco446@gmail.com that occurred from approximately February 13, 2013 through March 11, 2013.

11. In an email dated February 13, 2013, griseldablanco444@gmail.com sent an email to ch201111@mail.com that contained the subject "Private gets private!!" The email stated "Thats wat i been saying i would love to trade private or personal pictures i have both. I love 5-10yo girls daughters and nieces. I have an 8yo niece and 6yo cousin. If u are interested let me know and i will send sample first thanks." ¹

12. In an email dated February 14, 2013, griseldablanco444@gmail.com sent an email to ch201111@mail.com with the text "ok .no problem. she looks sexy." Attached to this email message were nine image files of the same child all depicting child pornography. The female child depicted in the photographs is lying on a bed and appears to be unconscious. Two of the image files that depict child pornography that were attached to the email are described below:

a. DSCN1069.JPG – This image file depicts a prepubescent female child lying naked on a bed with her vagina clearly exposed. The female child has a white towel on her stomach and she appears to be unconscious.

b. DSCN1064.JPG – This image file depicts a prepubescent female child lying naked on a bed with her vagina clearly exposed. The female child has a white towel on her stomach and she appears to be unconscious.

On October 25, 2013, I provided a copy of these images to Magistrate Judge Marianne B. Bowler in connection with an application for a search warrant for the email accounts of

¹ All quoted emails are stated in original form, thus all errors are in original.

griseldablanco444@gmail.com and griseldablanco446@gmail.com (Case. No. 13-mj-2374-MBB). At that time, the Court found the submitted images depicted minors engaged in sexually explicit conduct, as defined in 18 U.S.C. §2256(8).

13. In a later email dated February 14, 2013, ch201111@mail.com sent an email to griseldablanco444@gmail.com that contained the text “enjoy.” Attached to this email were six images of the same child in various stages of undress, two of which depict child pornography. Two of the image files which depict child pornography attached to the email are described below:

- a. 2012-12-13 21.08.30.jpg – This image file depicts a close-up picture of prepubescent child’s vagina. The child’s pink clothing is seen pulled over to one side clearly exposing her vagina.
- b. 2012-12-13 21.09.10.jpg – This image file depicts a naked prepubescent female bending down with her arms around her knees and her clothing is pulled down around her ankles clearly exposing her anus and vagina.

On October 25, 2013, I provided a copy of these images to the Court in connection with an application for a search warrant for the email accounts of griseldablanco444@gmail.com and griseldablanco446@gmail.com (Case. No. 13-mj-2374-MBB). At that time, the Court found the submitted images depicted minors engaged in sexually explicit conduct, as defined in 18 U.S.C. §2256(8).

14. In a later email dated February 21, 2013, ch201111@mail.com sent an email to griseldablanco446@gmail.com. Attached to this email were four images of the same naked female child, all of which depict child pornography. The child depicted in the pictures attached

to this email appears to be the same child described in the previous paragraph of this affidavit.

One of the image files which depict child pornography attached to the email are described below:

- a. DSCN1012.JPG – This image file depicts a naked prepubescent female lying on a bed with her legs spread and one leg up in the air with her vagina clearly exposed. Her right arm is pulling a green piece of clothing around her foot to assist keeping her right leg raised in the air.

On October 25, 2013, I provided a copy of this image to the Court in connection with an application for a search warrant for the email accounts of griseldablanco444@gmail.com and griseldablanco446@gmail.com (Case. No. 13-mj-2374-MBB). At that time, the Court found the submitted image depicted a minor engaged in sexually explicit conduct, as defined in 18 U.S.C. §2256(8).

15. An administrative subpoena served upon Google Inc. revealed that the email account griseldablanco444@gmail.com was created on February 2, 2013, from the IP address 50.12.139.15, which is owned by Clearwire Communications. No IP connection logs were available from Google for subsequent activity on this email account. A subsequent administrative subpoena served upon Clearwire resulted in Clearwire advising its data retention policy is to only preserve subscriber information for no more than seven days. As such, no subscriber details were available for this account.

16. An administrative subpoena served upon Google Inc. on March 20, 2013 revealed that the email account griseldablanco446@gmail.com was created on February 21, 2013, also from the IP address 50.12.139.15, which is also owned by Clearwire Communications. According to Google, this IP address was utilized numerous times to connect to this email

account. Due to the Clearwire data retention policy to only preserve subscriber information for no more than seven days, no subscriber details were available for this account either.

17. Due to lack of data retention by Clearwire, two new administrative subpoenas were issued to Clearwire Communications requesting current subscriber information for IP address 50.12.139.15. Pursuant to these subpoenas Clearwire identified the following account holder:

| | |
|------------|--------------------------------------|
| Name: | Elliot Febus |
| Address: | 506 Norfolk Street, Boston, MA 02126 |
| Telephone: | 857-247-6054 |
| Email: | luisgonzalez8877@yahoo.com |

According to Clearwire, the IP address 50.12.139.15 had been assigned to the above account from at least March 27, 2013 at 18:51:42 UTC through at least April 11, 2013. No records were available prior to 18:51:42 UTC (Coordinated Universal Time) on March 27, 2013. A new administrative subpoena was then issued to Google in regards to griseldablanca446@gmail.com. Pursuant to this subpoena, Google advised the account had been deleted, however IP logs were still available and the most recent log was provided as of March 27, 2013 at 05:50:35 UTC, also from IP address 50.12.139.15.²

18. On June 28, 2013, Detectives from the Boston Police Department's (BPD) Crimes Against Children Unit executed a search warrant at GONZALEZ-BUZETTA's residence at 506 Norfolk Street, Apt 1, Mattapan, Massachusetts, pursuant to an independent peer-to-peer (P2P) child pornography investigation, conducted by BPD and others.³ (The IP address associated with

² Due to the lack of any other available records, there is an approximate 13-hour gap in between the last login to the email account and the first available subscriber data from Clearwire. Nonetheless, the last login was to the IP address 50.12.139.15 and 13 hours later that address was assigned to GONZALEZ-BUZETTA's residence at Norfolk Street.

³ The apartment was searched pursuant to search warrant issued by the Boston Municipal Court, Dorchester Division based upon the sworn affidavit of BPD Detective Eddie Hernandez. Gonzalez-

the P2P investigation was 50.12.139.15 which is the same one utilized by the email accounts griseldablanco444@gmail.com and griseldablanco446@gmail.com.) Numerous computer items were seized pursuant to this search warrant including computers and thumb drives. BPD detectives also discovered an Apple iPhone on the person of LUIS MIGUEL GONZALEZ-BUZETTA when he was arrested later in the day on June 28, 2013. Preliminary forensic review of the seized computer equipment has uncovered the same child pornography files that were exchanged between ch201111@mail.com and griseldablanco444@gmail.com or griseldablanco446@gmail.com, described above in paragraphs 13, 14, and 15. The operating system of the computer seized pursuant to the BPD search warrant was installed on June 9, 2013, which is after the activity that occurred with the griseldablanco444@gmail.com and griseldablanco446@gmail.com, but comports with other emails found in which the user of these email addresses indicates that he has experienced a computer system failure. Child pornography is nonetheless present on the seized computer equipment.

19. In addition, during the preliminary forensic review of the electronic items seized by BPD there was evidence of specific steps taken by the user of the computers to hide or mask his online activity. For instance a forensic wiping utility referred to as “eraser” was present on the computer. The documentation from this “eraser” software states that “eraser is an advanced security tool which allows you to completely remove sensitive data from your disk drives by overwriting it several times with carefully selected patterns.”

20. Also during the preliminary forensic review, a Tor-based chat log was discovered on the computer equipment discussing child pornography and how to hide such activity. I know that Tor is a software product originally developed by the U.S. Navy with the primary purpose of

Buzetta is presently charged in Suffolk Superior Court with, among other things, the dissemination of child pornography based upon this peer-to-peer file sharing investigation.

protecting government communications and essentially allows nearly untraceable online activity. During a Tor chat session dated June 13, 2013, the screen name “nighty” states in part “and btw, i just give you this tip... del ete your old gmail account and stick to tormail.” The user “myself” (which is the account being utilized by the user of the seized computer equipment) responds to this “i already did today thanks.” Subsequent investigation reveals that the “griseldablanco” gmail accounts were in fact deleted, along with other gmail accounts suspected as belonging to GONZALEZ-BUZETTA.

21. Additional preliminary forensic review of the computer equipment seized by BPD determined that the phrase “griseldablanco” was present in the backup iPhone dynamic dictionary file. (It should be noted that LUIS MIGUEL GONZALEZ-BUZETTA was in possession of an Apple iPhone at the time of his arrest by BPD.) I know from my knowledge, skills and experience that the iPhone dynamic dictionary file is an Apple file which keeps track of keystrokes typed into the iPhone so that the phone essentially “learns” terms that are commonly used by the user. This means that the user of this iPhone typed “griseldablanco” into the iPhone.

22. During the execution of the BPD search warrant at the Norfolk Street address, detectives had to force open a locked bedroom belonging to LUIS MIGUEL GONZALEZ-BUZETTA. Inside this bedroom were the two laptop computers and three thumb drives discussed above. BPD detectives interviewed several members of GONZALEZ-BUZETTA’s family at the time the search warrant was executed. Statements from the family indicate that the computer equipment and the thumb drives (containing child pornography) were in GONZALEZ-BUZETTA’s bedroom, which he locked at all times and particularly when he left the room. In addition, the computers were never taken out of the bedroom, nor did GONZALEZ-BUZETTA

use them in front of anyone in the family. GONZALEZ-BUZETTA's mother stated to BPD detectives that GONZALEZ-BUZETTA used her Bank of America card to finance and set up the internet service for the house through Clearwire. The mother further indicated that she never once saw a single bill for the service the entire time the family received service, the money was subtracted from her account. She further stated that recently her oldest daughter called the ISP Provider, Clearwire, to inquire about the family's account. She was informed by Clearwire that there were no individuals or accounts using the name Luis Gonzalez or his mother's name in use by Clearwire. Clearwire further advised her that the account associated with 506 Norfolk Street, Apt. 1 was under the name Elliot Febus, a name with which family members had no familiarity. BPD detectives also did not find anyone by the name of Elliott Febus associated with that address other than this Clearwire account. The email account listed for the Clearwire account associated with 506 Norfolk Street, Apt. 1 contained GONZALEZ-BUZETTA's true name within a back-up contact email address listed on the account, namely luisgonzalez8877@yahoo.com. BPD Detectives also noted that the wireless set up, including the router was kept and maintained in GONZALEZ-BUZETTA's locked room.

CONCLUSION


23. Based on the information described above, there is probable cause to believe that between on or about February 13, 2013 and February 21, 2013, LUIS MIGUEL GONZALEZ-BUZETTA knowingly distributed and attempted to distribute child pornography, as defined in 18 U.S.C. § 2256(8), that has been mailed, and using any means and facility of interstate and foreign commerce shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, in violation of 18 U.S.C. § 2252A(a)(2).

24. Based on the information described above, there is also probable cause to believe that on or about June 28, 2013, LUIS MIGUEL GONZALEZ-BUZETTA did knowingly possess one and more books, magazines, periodicals, films, video tapes, and other matters, which contained a visual depiction that had been mailed, and had been shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and which was produced using materials which had been mailed, and so shipped and transported, by any means including by computer, where the production of such visual depictions involved the use of minors engaged in sexually explicit conduct, as defined in 18 U.S.C. § Section 2256(2)(A), all in violation of 18 U.S.C. § 2252A(a)(5).

Sworn to under the pains and penalties of perjury,


CHRISTOPHER T. HUGHES
Special Agent
Federal Bureau of Investigation

SUBSCRIBED and SWORN to before me on Nov. 25, 2013.


MARIANNE B. BOWLER
UNITED STATES MAGISTRATE JUDGE

I have previously reviewed the image files referenced in paragraphs 12, 13 and 14 above, and found probable cause to believe they depict minors engaging in sexually explicit conduct. The Affiant shall preserve the image files and photographs provided to the Court, for the duration of the pendency of this matter, including any relevant appeal process.


MARIANNE B. BOWLER
UNITED STATES MAGISTRATE JUDGE